

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA * *

VS. * **CRIMINAL ACTION NO. 1:10-CR-118**

CLIFFORD R. ROTH * **JUDGE MARCIA A. CRONE**

DEFENDANT'S MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Clifford R. Roth, Defendant, and moves the Court to continue the trial date in this cause, and in support of this motion shows:

I.

This cause is set for a Final Pretrial Hearing on Monday, February 28, 2011, at 10:00 a.m., at which time Jury Selection and Trial will be determined. Counsel shall be prepared to commence jury selection and trial the following day and continue thereafter.

II.

Joel Vazquez, attorney of record, request continuance for this trial for the following reason:

1. Counsel was appointed on December 15, 2010. Counsel immediately made contact and started phone conversations with Mr. Roth who is living in New York City. We had one eight hour meeting in Houston, Texas on January 25, 2011. I have been diligent in my efforts and plea negotiations in Mr. Roth's case. I respectfully ask for additional time that is needed to properly facilitate such matters.

III.

Movant is aware of his right to a speedy trial, as applicable to all aspects of this case pursuant to the laws and constitution of the United States of America and waives such rights to a speedy trial.

IV.

This continuance is not sought for delay, but that justice may be served.

WHEREFORE, the Defendant prays the Court grant this motion and continue this cause on the docket of this Court until a later date so that the Defendant may receive a fair trial.

Respectfully submitted,

/S/

Attorney For Defendant
1900 Broadway
Beaumont, TX 77701
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CERTIFICATE OF CONFERENCE

I hereby certify that I have spoken with Robert L. Rawls, Assistant United States Attorney, and he is unopposed to Defendant Roth's Motion for Continuance.

/S/
Joel Vazquez

E-FILE CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this instrument is being served upon all counsel of record herein, by:

E-FILING AND E-SERVICE

On this the 11th day of February, 2011.

/S/
JOEL VAZQUEZ
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